IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH JAIPUR

Order

D.B. CIVIL WRIT PETITION NO.3584/2000
GORDHAN AND OTHERS V. THE STATE OF RAJASTHAN & ORS.

DATE OF ORDER :::::: NOVEMBER 17,2006

PRESENT

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE PREM SHANKER ASOPA

Mr. D.K.Dixit,for the petitioners
Dr. A.S.Khangarot, Addl. GA
Mr. Manish Bhandari, for the respondent

This writ petition has been filed as a public interest litigation by the residents of Dudu, Distt. Jaipur making grievance of construction of shops on the land belonging to courts and other offices.

From the report of the District & Sessions Judge, Jaipur Distt. dated 11.8.2000 it appears that 9 Bighas 2 Biswas land of Khasra No.1523/1 was reserved for construction of the offices and residential houses for the Assistant Collector, Munsif Magistrate and other offices. From the funds provided by the Public Works Department, certain shops also appear to have been constructed with the approval of the Panchayat Samiti vide their letter dated 15.4.2000. All this has been done without obtaining permission from the District &

Sessions Judge, Jaipur Distt. or the Registrar General of the High Court.

Prima facie, we are of the view that while there may be justification to construct shops/kiosks for the stamp vendors, typists etc. to facilitate administration of justice in the concerned courts, it should be done only with the permission/consent of the District & Sessions Judge or Registrar General of the High Court.

Before passing further order in the matter, we are of the view that it will be appropriate to obtain the latest report from the Distt. & Sessions Judge, Jaipur Distt. as the report referred to above is of 11.8.2000 and it is not known whether further developments have taken place.

Counsel for the State is directed to take instructions and file the latest report.

Let report be also submitted by the Distt. & Sessions Judge, Jaipur Distt.

The matter may be put up after four weeks.

A copy of this order be sent to the Distt. & Sessions Judge, Jaipur Distt.

(PREM SHANKER ASOPA),J. (S.N. JHA),C.J.

GOPAL